

Translation

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference ACDPA5160PWO	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/DE2003/002666	International filing date (day/month/year) 15 August 2003 (15.08.2003)	Priority date (day/month/year) 16 August 2002 (16.08.2002)
International Patent Classification (IPC) or national classification and IPC G06F 17/60		
Applicant DEUTSCHE POST AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 8 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 10 March 2004 (10.03.2004)	Date of completion of this report 27 December 2004 (27.12.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE 03/02666

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-3	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-3	NO
Industrial applicability (IA)	Claims	1-3	YES
	Claims		NO

2. Citations and explanations

This report makes reference to the following documents:

- D1: WO 02/50705 A (MARKETING PTY LTD U; BEST PHILIP (AU); OXLEY RICHARD (AU)), 27 June 2002 (2002-06-27)
- D2: US-A-6 047 264 (KAPLAN SAMUEL JERROLD ET AL), 4 April 2000 (2000-04-04)

The features of the newly submitted claim 1 cannot all be found in the original version of this claim, such as "the information depends on events within the mailing system". Claim 1 thus does not meet the requirements of PCT Article 34(2)(b).

Although the application contravenes PCT Article 34(2)(b), a reasoned statement under PCT Rule 66.2(a)(ii) with regard to inventive step (PCT Article 33(3)) is established, as follows:

The solution proposed in claim 1 of the application cannot be considered inventive (PCT Article 33(3)) for the following reasons:

The examiner agrees that the application relates to the integration of an electronic parcel mailbox installation

in a mailing system and that this leads to novel situations, for example a situation in which the mail recipient does not know that mail has been sent to him. However, independent claims 1 and 3 do not contain any clear features related to these situations. Moreover, the applicant has removed the expression "to an electronic parcel mailbox installation" from the characterising part of claim 1.

In the opinion of the examiner, the other arguments put forth by the applicant are not convincing either, for the same reasons.

The examiner is also of the opinion that the present application relates to a purely event-controlled messaging system and that such systems are generally well known (see, for example, document D2) and could easily be adapted to each specific situation without requiring an inventive input.

Document D2 describes a method and a system for transmitting messages to users of a logistic system (abstract), in which system various events within the logistic system generate corresponding messages which are sent to the users (column 2, lines 14-18). A storage module (CRC) is a well known technical measure for temporarily storing a series of orders. Although D2 does not state that the events are sorted into classes (column 2, lines 14-18), the description of the application does not indicate any further effect of this arrangement into classes, so that this arrangement does not appear to solve any (technical) problems. The solution known from D2 can therefore be applied *mutatis mutandis* to electronic parcel mailbox installations of the type defined in claim 1, without any inventive input (PCT Article 33(3)).

Modules which generate messaging orders by means of templates are well known; see, for example, document D1 (abstract). For this reason, the subject matter of dependent claim 2 also lacks an inventive step (PCT Article 33(3)).

The device as per independent claim 3 relates to well known software and hardware structures from which a person skilled in the art would choose according to the circumstances in order to solve the problem in question, without being inventive.